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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/391,427	09/08/1999	THEODORE JAMES MYERS	AOO506	8593

757 7590 01/17/2007
BRINKS HOFER GILSON & LIONE
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CHICAGO, IL 60610

EXAMINER

BLECK, CAROLYN M

ART UNIT	PAPER NUMBER
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3626

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/391,427

Applicant(s)

MYERS ET AL.

Examiner

Carolyn M. Bleck

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-15, 17-22, 24, 25, 38-43, 59-63 and 66-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-15, 17-22, 24-25, 38-43, 59-63, and 66-68 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Notice to Applicant

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 27 October 2005 has been entered. This communication is in response to the RCE filed on 27 October 2005. Claims 12-15, 17-22, 24-25, 38-43, 59-63, and 66-68 are pending. Claims 12, 20, and 38 have been amended.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 12-15, 17-22, 24-25, 38-43, 59-63, and 66-68 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 12, 20, and 38 have been amended to include the limitation of "wherein the good and the service is not a parking space." Applicant has failed to describe in the specification in such a way as to reasonably convey to one skilled in the art that the inventors, at the time the application was filed, had possession of this newly added feature of "wherein the good and the service is not a parking space." Applicant's specification describes "The good or the service typically represents something whose availability is transient over a relatively short period of time. Examples of the good or the service, corresponding to the businesses mentioned herein, include, without limitation, musical concert seats, sporting event seats, live theater, voice or dance seats, transportation carrier seats for transportation, such as airplanes, trains, boats and buses, parking spaces, restaurant seats and hotel rooms. In the preferred embodiment of the present invention, the reservation information is related to reservations for parking spaces." (See page 7 lines 26-32 of the specification filed on 9/8/99). Applicant has clearly disclosed in the specification that the good or service can be a parking space. Thus, Applicant has failed to describe that "the good and the service is not a parking space."

Claims 13-15, 17-19, 21-22, 24-25, 39-43, 59-63, and 66-68 depend on claims 12, 20, and 38, and are rejected for the same reasons as claims 12, 20, and 38 through dependency.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 12, 13, 18-21, 25 and 38-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zeitman, Pat. No. 5,940,481 in view of Applicant's Background of the Invention.

(A) As to claims 12, 20, and 38, Zeitman discloses a method performed by a customer communication device operated by a customer, in a combination reservation and navigation system (i.e. parking management) (see Fig. 1 and abstract), comprising the steps of

accessing reservation information representing a good or a service that may be reserved by customers from one of a plurality of businesses (i.e. user may reserve a parking facility)(col. 5, lines 1-5);

making a request for a reservation of the good or the service responsive to the step of accessing the reservation information (col. 5, lines 7-9);

receiving confirmation information, representing that the reservation has been made for the good or the service associated with one of the plurality of businesses, responsive to the step of making the request(i.e. receives confirmation of authorization to park there)(col. 5, lines 15-18); and

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receiving electronic navigation information from a reservation communication device over a communication link responsive to the step of receiving the confirmation information, wherein the electronic navigation information assists the customer in traveling from a customer geographic location to a business geographic location of the good or the service reserved by the customer (i.e. map of region in which user is interested in parking)(col. 5, lines 5-7).

Claims 12, 20, and 38 have been amended to recite "wherein the good and the service is not a parking space." As per this limitation, Zeitman discloses that "It will be appreciated by persons skilled in the art that the present invention is not limited by what has been particularly shown and described hereinabove." Thus, it is respectfully submitted that Zeitman could be modified for reservations of items other than parking spaces. The motivation for this modification being to allow a customer to reserve other types of property.

In addition, it is noted that Applicant's Background of the Invention discloses the good and the service being tickets for performances, musical concerts, sporting events, or tickets for transportation carriers (page 1 of the specification). At the time the invention was made, it would have been obvious to one of ordinary skill in the art to include the features of Applicant's Background of the Invention within Zeitman with the motivation of allowing a customer to reserve other types of goods or services.

(B) As to claims 13 and 21, Zeitman discloses a method further comprising the steps of

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transmitting a payment to one of the reservation communication device and a business communication device for the good or the service associated with the reservation responsive to the step of making the request for the reservation (i.e. billing apparatus)(col. 3, lines 23-32); and

receiving receipt information representing that the payment has been received by the one of the reservation communication device and the business communication device responsive to the step of transmitting the payment(col. 3, lines 23-32) .

(C) As to claims 18 and 39, Zeitman discloses a method further comprising the step of communicating the confirmation information to the one of the plurality of businesses located at the business geographic location responsive to the customer arriving at the business geographic location (user may report his arrival to central control unit or parking attendant)(col. 3, lines 58-63).

(D) As to claims 19, 25, and 40-42, Zeitman discloses a method wherein the confirmation information is communicated to a business communication device, associated with the one of the plurality of businesses, at the business geographic location over a radio frequency communication link responsive to the customer communication device being proximate to the business communication device (col. 4, lines 13-23).

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6. Claim 14, 17, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zeitman (5,940,481) and Applicant's Background of the Invention as applied to claim 12 above, and further in view of Yoshida (5,877,704).

(A) As to claim 14, Zeitman and Applicant's Background of the Invention do not explicitly disclose a method according to claim 12 further comprising the step of transmitting a request for the electronic navigation information responsive to the step of receiving the confirmation information.

However, Yoshida discloses receiving electronic navigation information upon receiving confirmation information (col. 4, lines 1-7 and lines 44-58). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include transmitting a request for the electronic navigation information responsive to the step of receiving the confirmation information as disclosed by Yoshida within Zeitman for the motivation of placing a reservation for a parking space from a remote site and provide roadway information as well (col. 1, lines 32-40 and col. 4, lines 1-7).

(B) As to claims 17 and 24, Zeitman discloses a method according to claims 12 and 20: wherein the steps of accessing the reservation information, making the request and receiving the confirmation information are performed by a fixed customer communication device (i.e. computer)(col. 3, lines 19-22), and

Zeitman and Applicant's Background of the Invention do not explicitly disclose

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wherein the step of receiving the electronic navigation information is performed by a mobile customer communication device.

However, Yoshida discloses receiving electronic navigation information upon receiving confirmation information i.e. vehicle mounted device)(col. 3, lines 62-67 and col. 4, lines 1-7 and lines 44-58). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include wherein the step of receiving the electronic navigation information is performed by a mobile customer communication device as disclosed by Yoshida within Zeitman for the motivation of placing a reservation for a parking space from a remote site and provide roadway information as well (col. 1, lines 32-40 and col. 4, lines 1-7).

7. Claims 15 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zeitman (5,940,481) and Applicant's Background of the Invention as applied to claims 12 and 20 above, and further in view of Sehr, Pat. No. 6,085,976.

(A) As to claim 15 and 22, Zeitman and Applicant's Background of the Invention do not explicitly disclose a method according to claims 12 and 20 wherein the customer information includes a customer profile representing preferences of the customer for the good or the service desired by the customer.

However, Sehr discloses the customer information includes a customer profile representing preferences of the customer for the good or the service desired by the customer (i.e. passenger's purchase habits)(col. 6, lines 10-15). It would have been

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obvious to one of ordinary skill in the art at the time of Applicant's invention to include the customer information includes a customer profile representing preferences of the customer for the good or the service desired by the customer as disclosed by Sehr within Zeitman and Applicant's Background of the Invention for the motivation of providing better quality of service (col. 2, lines 7-14).

8. Claims 43 and 59-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zeitman and Applicant's Background of the Invention as applied to claims 12, 20, and 38 above, and further in view of DeLorme et al., Pat. No. 5,948,040 (hereinafter DeLorme).

(A) As to claim 43, Zeitman does not explicitly disclose a customer communication device according to claim 40 wherein the radio frequency communication interface is adapted to communicate packet signals.

However, DeLorme discloses a customer communication device adapted to communicate packet signals (i.e. mobile users can access the system via wireless communication)(see abstract, col. 14, lines 43-52 and col. 24, lines 29-67). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include a customer communication device adapted to communicate packet signals as disclosed by DeLorme within Zeitman and Applicant's Background of the Invention for the motivation of providing complete integration of all aspects of travel/activity required by a user (col. 6, lines 47-64).

(B) As to claim 59, Zeitman does not explicitly disclose the method of claim 12 further comprising the step of:

receiving second electronic navigation information wherein the second electronic navigation information assists the customer in traveling from the business geographic location to a second business geographic location of a second good or service reserved by the customer.

However, DeLorme discloses receiving second electronic navigation information wherein the second electronic navigation information assists the customer in traveling from the business geographic location to a second business geographic location of a second good or service reserved by the customer (i.e. waypoints and POIs)(col. 9, lines 12-28 and lines 35-47).It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include receiving second electronic navigation information wherein the second electronic navigation information assists the customer in traveling from the business geographic location to a second business geographic location of a second good or service reserved by the customer as disclosed by DeLorme within Zeitman and Applicant's Background of the Invention for the motivation of providing complete integration of all aspects of travel/activity required by a user (col. 6, lines 47-64).

(C) As to claim 60, Zeitman does not explicitly disclose the method of claim 12 further comprising

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prior to traveling to the business geographic location, accessing second reservation information representing a second good or service that may be reserved by customers from a second business of the plurality of businesses;

making a second request for a second reservation of the second good or service responsive to the step of accessing the second reservation information; and

receiving second confirmation information, representing that the second reservation has been made for the second good or service associated with the second business, responsive to the step of making the second request.

However, DeLorme discloses prior to traveling to the business geographic location, accessing second reservation information representing a second good or service that may be reserved by customers from a second business of the plurality of businesses (col. 9, lines 35-47);

making a second request for a second reservation of the second good or service responsive to the step of accessing the second reservation information (col. 9, lines 12-28 and lines 35-47); and

receiving second confirmation information, representing that the second reservation has been made for the second good or service associated with the second business, responsive to the step of making the second request (col. 15, lines 33-66). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the features claimed above as disclosed by DeLorme within Zeitman and Applicant's Background of the Invention for the motivation of providing

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complete integration of all aspects of travel/activity required by a user (col. 6, lines 47-64).

(D) As to claim 61, Zeitman does not explicitly disclose the method of claim 12 wherein the electronic navigation information comprises at least one of an e-text direction and a highlighted map travel path.

However, DeLorme discloses wherein the electronic navigation information comprises at least one of an e-text direction and a highlighted map travel path (col. 49, lines 60-65).). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the features claimed above as disclosed by DeLorme within Zeitman and Applicant's Background of the Invention for the motivation of providing complete integration of all aspects of travel/activity required by a user (col. 6, lines 47-64).

(E) As to claim 62, Zeitman does not explicitly disclose the method of claim 12 further comprising the step of selecting a route type from a plurality of route types associated with the electronic navigation information wherein the plurality of route types includes at least one of the quickest route and the shortest route.

However, DeLorme discloses the step of selecting a route type from a plurality of route types associated with the electronic navigation information wherein the plurality of route types includes at least one of the quickest route and the shortest route (col. 29, lines 19-31).). It would have been obvious to one of ordinary skill in the art at the time

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of Applicant's invention to include the features claimed above as disclosed by DeLorme within Zeitman and Applicant's Background of the Invention for the motivation of providing complete integration of all aspects of travel/activity required by a user (col. 6, lines 47-64).

(F) As to claim 63, Zeitman does not explicitly disclose the method of claim 12 further comprising the step of determining the customer geographic location by at least one of a global positioning system or 911 cellular service locating.

However, DeLorme discloses comprising the step of determining the customer geographic location by at least one of a global positioning system or 911 cellular service locating (col. 10, lines 34-58). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the features claimed above as disclosed by DeLorme within Zeitman and Applicant's Background of the Invention for the motivation of providing complete integration of all aspects of travel/activity required by a user (col. 6, lines 47-64).

9. Claims 66-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zeitman (5,940,481) and Applicant's Background of the Invention as applied to claim 12, and further in view of Applicant's admission of prior art.

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(A) As per claims 66-68, Applicant has failed to traverse the examiner's rejection of claims 66-68 based on Official Notice. Thus, it is respectfully submitted that Applicant has admitted that the features of claims 66-68 are well known in the prior art.

Response to Arguments

10. Applicant's arguments with respect to claims 12-15, 17-22, 24-25, 38-43, 59-63, and 66-68 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn Bleck whose telephone number is (571) 272-6767. The Examiner can normally be reached on Monday-Thursday, 8:00am – 5:30pm, and from 8:30am – 5:00pm on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached at (571) 272-6776.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

12. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(571) 273-8300 [Official communications]

(571) 273-8300 [After Final communications labeled "Box AF"]

(571) 273-6767 [Informal/ Draft communications, labeled
"PROPOSED" or "DRAFT"]

Hand-delivered responses should be brought to the Knox Building, Alexandria, VA.



**Carolyn M. Bleck
Patent Examiner
Art Unit 3626**

1/11/07